



- ☐ EXPEDITE
☒ No Hearing Set
☐ Hearing is Set

Date:

Time:

The Honorable Christine A. Pomeroy

**STATE OF WASHINGTON
THURSTON COUNTY SUPERIOR COURT**

STATE OF WASHINGTON, *ex*
rel. WASHINGTON STATE
PUBLIC DISCLOSURE
COMMISSION,

Plaintiff,

v.

LISA MACLEAN, HENRY
UNDERHILL, MOXIE MEDIA,
CONSERVATIVE PAC and CUT
TAXES PAC,

Defendants.

NO. 10-2-02428-7

STIPULATED JUDGMENT

JUDGMENT SUMMARY (RCW 4.64.030)

- A. JUDGMENT CREDITOR: STATE OF WASHINGTON
- B. JUDGMENT DEBTORS: LISA MACLEAN, HENRY
UNDERHILL, MOXIE MEDIA,
CONSERVATIVE PAC and CUT
TAXES PAC
- C. PRINCIPAL JUDGMENT
AMOUNT: \$250,000 civil penalty assessed with
\$140,000 suspended until December 31,
2015 based on terms identified below
- D. INTEREST: No prejudgment interest is owed.
Principal judgment amount(s) due and
owing shall not bear interest unless the

- 1 principal judgment is unpaid by the due
2 dates specified herein. Payments not made
3 by the due date shall bear interest at the
4 rate of 12% per year from the due date
5 until paid.
- 6 E. COSTS AND FEES: \$40,000 as attorney fees and costs
- 7 F. ATTORNEYS FOR ROBERT M. MCKENNA
8 JUDGMENT CREDITOR Attorney General
9 LINDA A. DALTON, WSBA No. 15467
10 Senior Assistant Attorney General
11 GORDON P. KARG, WSBA No. 37178
12 Assistant Attorney General
13 TODD R. BOWERS, WSBA No. 25274
14 Senior Counsel
- 15 G. ATTORNEYS FOR WILLIAM C. RAVA, WSBA No. 29948
16 JUDGMENT DEBTORS WILLIAM B. STAFFORD, WSBA No.
17 39849

18 STIPULATION

19 The parties to this stipulation, Plaintiff, STATE OF WASHINGTON, *ex*
20 *rel.* WASHINGTON STATE PUBLIC DISCLOSURE COMMISSION
21 (“STATE”) and Defendants, LISA MACLEAN, HENRY UNDERHILL,
22 MOXIE MEDIA, CONSERVATIVE PAC and CUT TAXES PAC, being
23 desirous of resolving all claims arising out of this complaint, hereby enter into
24 the following stipulation:

- 25 1. Defendants, jointly and severally, agree to pay an assessed civil penalty in the
26 amount of \$250,000, and attorneys fees and costs in the amount of \$40,000,
for violations of RCW 42.17.
2. \$140,000 of the assessed civil penalty will be suspended until December 31,
2015 contingent on Defendants’ compliance with the provisions of
RCW 42.17/RCW 42.17A. Defendants agree that they will not violate any

1 provision of RCW 42.17/RCW 42.17A. Through the end of the suspension
2 period, if any Defendant is found to have violated RCW 42.17/RCW 42.17A,
3 the suspended portion of the penalty of \$140,000 will become immediately
4 due and payable without further intervention of the Court.

5 3. Defendants agree to pay the State the unsuspended portion of the civil penalty
6 (\$110,000) in accordance with the following payment schedule:

- 7 a. \$35,000 to be paid no later than December 31, 2012;
- 8 b. \$35,000 to be paid no later than December 31, 2013; and
- 9 c. \$40,000 to be paid no later than December 31, 2014.

10 4. Defendants agree to pay the State the amount of \$40,000 as attorney fees and
11 costs no later than December 31, 2011.

12 5. Defendants agree that Lisa MacLean, Henry Underhill, all current principals
13 and employees of Defendant Moxie Media, Conservative PAC and Cut Taxes
14 PAC, and the current principals and employees of any political committee
15 over which any Defendant exercises authority will schedule and receive
16 campaign finance disclosure reporting training from the Public Disclosure
17 Commission staff no later than February 28, 2012. Defendants further agree
18 that, until December 31, 2015, any future (1) principal, (2) officer, or (3)
19 employee with financial, supervisory or project management responsibilities
20 for Moxie Media involving Washington State or Moxie Media clients engaged
21 in election or campaign activities in or for Washington State, or any
22 Washington State political committee over which any Defendant exercises
23 authority, will be scheduled and receive training from the Public Disclosure
24 Commission staff no later than 90 days from the commencement of their
25 starting work on the financial, supervisory or project management
26

responsibilities for Moxie Media involving Washington State or Moxie Media clients engaged in election or campaign activities in or for Washington State.

DATED this 16 day of December, 2011.

ROBERT M. MCKENNA
Attorney General



LINDA A. DALTON, WSBA No. 15467

Senior Assistant Attorney General

GORDON P. KARG, WSBA No. 37178

Assistant Attorney General

TODD R. BOWERS, WSBA No. 25274

Senior Counsel

Attorneys for Plaintiff



WILLIAM C. RAVA, WSBA No. 29948

WILLIAM B. STAFFORD, WSBA No. 39849

Attorneys for Defendants

JUDGMENT

THIS MATTER came on regularly before the undersigned judge of the above-entitled Court. Plaintiff, STATE OF WASHINGTON, *ex rel.*, WASHINGTON STATE PUBLIC DISCLOSURE COMMISSION, appearing through its attorneys of record, ROBERT M. MCKENNA, Attorney General, LINDA A. DALTON, Senior Assistant Attorney General, GORDON P. KARG, Assistant Attorney General, and TODD R. BOWERS, Senior Counsel, and Defendants, LISA MACLEAN, HENRY UNDERHILL, MOXIE MEDIA, CONSERVATIVE PAC and CUT TAXES PAC, appearing through their attorneys of record, WILLIAM C. RAVA and WILLIAM B. STAFFORD, have

1 apprised the Court of their agreement to the entry of this judgment for the
2 purpose of settling and compromising this action brought under RCW 42.17.
3 The Court, having reviewed the records and files herein, and having found the
4 settlement to be a just and proper resolution of this matter, and being otherwise
5 fully advised in the premises, now, therefore, it is hereby

6 ORDERED that Defendants, jointly and severally, are hereby assessed a
7 civil penalty in the amount of \$250,000, and \$40,000 in attorneys fees and costs,
8 under the provisions of RCW 42.17, payable to the State of Washington. It is
9 further

10 ORDERED that the amount of \$140,000 of the assessed penalty is hereby
11 suspended until December 31, 2015 contingent upon Defendants' compliance
12 with the provisions of RCW 42.17/RCW 42.17A. Until the end of the suspension
13 period, if any Defendant is found to have violated RCW 42.17/RCW 42.17A, the
14 suspended portion of the penalty of \$140,000 shall immediately become due and
15 payable without further intervention of the Court. It is further

16 ORDERED that Defendants shall pay to the State of Washington the
17 unsuspended portion of the assessed civil penalty (\$110,000) in the following
18 manner: \$35,000 no later than December 31, 2012; \$35,000 no later than
19 December 31, 2013; \$40,000 no later than December 31, 2014. It is further

20 ORDERED that Defendants shall pay to the State of Washington the
21 amount of \$40,000 as attorney fees and costs no later than December 31, 2011. It
22 is further

23 ORDERED that Lisa MacLean, Henry Underhill, all current principals and
24 employees of Defendant Moxie Media, Conservative PAC, and Cut Taxes PAC,
25 and the current principals and employees of any political committee over which
26

1 any Defendant exercises authority will schedule and receive campaign finance
2 disclosure reporting training from the Public Disclosure Commission staff no
3 later than February 28, 2012. It is further

4 ORDERED that, through December 31, 2015, any future (1) principal,
5 (2) officer, or (3) employee with financial, supervisory or project management
6 responsibilities for Moxie Media involving Washington State or Moxie Media
7 clients engaged in election or campaign activities in or for Washington State, or
8 any Washington State, or any Washington State political committee over which
9 any Defendant exercises authority, will be scheduled and receive training from
10 the Public Disclosure Commission staff no later than 90 days from the
11 commencement of their starting work on the financial, supervisory or project
12 management responsibilities for Moxie Media involving Washington State or
13 Moxie Media clients engaged in election or campaign activities in or for
14 Washington State.

15 DONE IN OPEN COURT this 16 day of December, 2011.

16 CHRISTINE A. POMEROY

17
18 _____
19 JUDGE/COMMISSIONER

20 Presented by:

21 ROBERT M. MCKENNA
22 Attorney General

23 
24 LINDA A. DALTON, WSBA No. 15467

25 Senior Assistant Attorney General

26 GORDON P. KARG, WSBA No. 37178
Assistant Attorney General

TODD BOWERS, WSBA No. 33946

Senior Counsel

Attorneys for Plaintiff

1 Approved as to form:

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3 WILLIAM RAVA, WSBA No. 29948

4 WILLIAM B. STAFFORD, WSBA No. 39849

5 Attorneys for Defendants

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